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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,672	12/26/2001	Fumihiro Hatayama	50099-194	6552
7590	03/08/2006		EXAMINER	
MCDERMOTT, WILL & EMERY 600 13th Street, N.W. WASHINGTON, DC 20005-3096			ROGERS, SCOTT A	
			ART UNIT	PAPER NUMBER
			2627	
DATE MAILED: 03/08/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/025,672	HATAYAMA ET AL.	
	Examiner Scott A. Rogers	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-19 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/25/05</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action (pages 2-6)</u> . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 and 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomita (US 6975430) in view of Kanamori (US 5953450).

Referring to claim 1:

Tomita discloses print control unit supplying a print control instruction to a printing machine to an adjusting device to adjusting a value of a control parameter (ink feed rate) related to said printing machine in response to area ratios (see abstract).

While Tomita does not disclose a feature acquisition device for acquiring a feature of an image to be printed on a printing medium, Kanamori discloses such a feature (see abstract).

It would have been obvious to one of ordinary skill in the art to have modified Tomita in view of Kanamori to have provided the feature acquisition device for acquiring a feature of an image to be printed on a printing medium so that adjustment of a control parameter (ink feed rate) related to said printing machine is responsive to the acquired feature of said image to be printed on a printing medium.

Referring to claim 2:

Kanamori discloses said feature acquisition device acquiring at least any of solid appearance, halftone appearance and light appearance as the feature of said image.

Referring to claim 3:

Kanamori discloses said feature acquisition device acquiring the feature of said image on the basis of frequency distribution varying with gradation values relate to said image.

Referring to claim 4:

Kanamori discloses said feature acquisition device acquiring the feature of said image on the basis of at least any of the number, positions, heights and sharpness of peaks in said frequency distribution.

Referring to claim 5:

Kanamori discloses said feature acquisition device acquiring the feature of said image on the basis of least any of input image data as to proofread printed matter, image data included in document data and rasterized data subjected to rasterization.

Referring to claim 6:

Tomita discloses said control parameter including a parameter related to at least any of an ink feed rate, a water feed rate and a printing pressure in said printing machine.

Referring to claim 7:

Kanamori discloses a reference value setting device for setting a reference value for said control parameter (computing circuit that computes a reference value for density correction), wherein said adjusting device corrects said reference value in response to the feature of said image thereby adjusting said control parameter.

Referring to claim 10:

The combination of Tomita and Kanamori disclose a software program to control a computer to operate as a print control unit to perform the image feature acquisition function and print control parameter adjustment as discussed above with respect to claim 1. See col. 5, lines 11-12 in Kanamori.

Referring to claims 11-17:

The method steps recited in these claims correspond, respectively, to the function of the apparatus in claims 1-7 as discussed above, and are therefore rejected for the reason.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-9 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomita and Kanamori, as applied to claims 2 and 12 above, and further in view of well known prior art.

Referring to claims 8 and 18:

While the combination of Tomita and Kanamori do not disclose deciding said reference value on the basis of at least one parameter among temperature, humidity, printing speed and printing number, using such parameters to set a reference value for a print control parameter to be adjusted is well known in the art. Such reference value adjustment allows the print control to take into account varying environmental or operational conditions, which will affect effective adjustment of print control parameters.

Referring to claims 9 and 19:

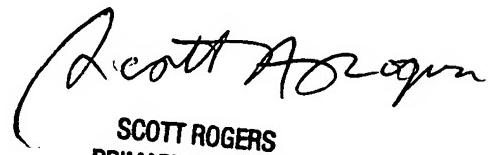
While the combination of Tomita and Kanamori do not disclose acquiring the feature of said image as an instruction from an operator, the provision of operator control to input or change such information is well known in the printing art to allow operator control of parameters affecting the printing operation and printing results. This provides the flexibility and control to compensate printing results to account for operational limitations or to achieve printing results desired by the operator.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott A Rogers whose telephone number is 571-272-7467. The examiner can normally be reached Monday through Friday 6:00am-2:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Moore can be reached at 571-272-7437.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC2600 Customer Service at 571-272-2600. Official correspondence by facsimile should be sent to 571-273-8300. The USPTO contact Center phone numbers are 800-PTO-9199.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SCOTT ROGERS
PRIMARY EXAMINER

06 March 2006